

Requested Items of Eudence

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/681,497

Applicant

Stephen G. Bales

Filing Date

October 27, 2003

Title

Lignocellulosic, Borate Filled, Thermoplastic Composites

Examiner:

Matthew J. Daniels

Art Unit

1732

Docket No.

LA 001

Customer No.

000048373

Declaration Under 37 CFR 1.131

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, Stephen G. Bales, declare that all the statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. In October, 1999 I conceived the use of calcium borate as a fungicide in lignocellulosic composites, also commonly known as wood composites (WC's). Based on further investigation, I then conceived of using CB as a fungicide in lignocellulosic thermoplastic composites, commonly known as wood-plastic composites (WPC's), in July, 2000.

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1.131 (continued)

2. By October, 2000 an arrangement had been made for WPC samples containing

calcium borate to be prepared for testing. In May, 2001 the initial samples had been

prepared and placed in Ohio and Florida test sites. In October, 2001 additional WPC

samples containing calcium borate were prepared and placed in these test locations.

3. As a result of testing a range of additive loadings, the discovery was made that

calcium borate is an effective WPC fungicide. Further, the surprising discovery was

made that CB at loadings as low as 2% increases WPC resistance to surface impairment

caused by mold growth. This also addressed a long felt need as described in my

declaration under 37 CFR 1.132 dated Nov. 22, 2005.

4. I acknowledge that willful false statements and the like are punishable by fine and/or

imprisonment, and may jeopardize the validity of the application of any patent issuing

therefrom.

17 Hart Lane, Sewell, NJ 08080

Sworn in the State of New Jersey,

County of Gloucester

In the State of New Jersey, this 17

day of June, 2006

Witness my hand and official seal.

My Commission Expires: 14 July 2009

Notary Public

GABRIELE S. MASTROBUONO Notary Public - New Jersey

My Commission Expires July 14, 2009 of 2